

110TH CONGRESS
2D SESSION

H. R. 6244

To amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to issue regulations that require that any award fee under a cost-plus-award-fee contract entered into by the Department of Homeland Security shall be determined and paid based on a successful acquisition outcome that is specified in the contract, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2008

Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to issue regulations that require that any award fee under a cost-plus-award-fee contract entered into by the Department of Homeland Security shall be determined and paid based on a successful acquisition outcome that is specified in the contract, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REGULATIONS REGARDING AWARD FEES**
2 **UNDER CONTRACTS OF THE DEPARTMENT**
3 **OF HOMELAND SECURITY.**

4 (a) REGULATIONS REQUIRED.—Subtitle D of title
5 VIII of the Homeland Security Act of 2008 is amended
6 by adding at the end the following:

7 **“SEC. 836. REGULATIONS REGARDING AWARD FEES.**

8 “(a) IN GENERAL.—The Secretary shall issue regula-
9 tions that require that any award fee under a cost-plus-
10 award-fee contract entered into by the Department shall
11 be determined and paid based on a successful acquisition
12 outcome that is specified in the contract in terms of cost,
13 schedule, and performance.

14 “(b) APPLICATION.—The regulations issued under
15 this section shall apply with respect to any contract that
16 is awarded or renewed by the Department after the end
17 of the 30-day period beginning on the date of the enact-
18 ment of this section.

19 “(c) DEFINITIONS.—In this section each of the terms
20 ‘cost-plus-award-fee contract’ and ‘award fee’ has the
21 meaning that term has under subpart 16.405–1 of the
22 Federal Acquisition Regulation, as in effect on the date
23 of the enactment of this section.”.

24 (b) DEADLINE.—The Secretary shall issue regula-
25 tions under the amendment made by subsection (a) by not

1 later than 30 days after the date of the enactment of this
2 Act.

3 (c) CLERICAL AMENDMENT.—The table of contents
4 in section 1(b) of such Act is amended by inserting after
5 the item relating to section 835 the following:

“Sec. 836. Regulations regarding award fees.”.

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